



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT: Reuel W. Nash

APPLICATION NO.: 10/074,150

FILING DATE: February 11, 2002

TITLE: MANAGEMENT OF LIMITED RESOURCES IN A GRAPHICS SYSTEM

EXAMINER: Allen E. Quillen

GROUP ART UNIT: 2676

ATTY. DKT. NO.: 22278-05791

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CERTIFICATE OF MAILING

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Dated: March 2, 2004

By: 
Robert A. Hulse, Reg. No. 48,473

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RESPONSE A

Sir:

In response to the first Office Action, mailed October 6, 2003, Applicant submits and requests consideration of the following remarks, the declaration of Reuel W. Nash under 37 C.F.R. § 1.131, and its attached exhibit.

Claims 1-38 were presented for examination and were pending in this application. In the latest Office Action, claims 1-38 were rejected, each based largely on the Radecki reference.¹

¹ Claims 1, 2, 6, 9-11, 13, 18, 20, 23, 26, 29, 32, 34, 35, and 38 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,969,728 to Dye et al. in view of U.S. Patent No. 6,404,428 to Radecki et al., in further view of U.S. Patent No.

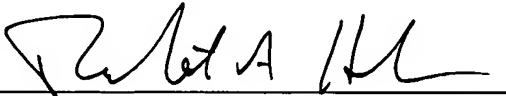
However, Radecki cannot qualify as prior art under 35 U.S.C. § 102(e) if the claimed subject matter was invented before Radecki's filing date of November 21, 2000. Applicant respectfully submits that the claimed invention was conceived and reduced to practice before this date, and that the claimed invention was diligently reduced to constructive practice from this date through the preparation and filing of related U.S. Provisional Application No. 60/267,904. To establish prior invention and thus overcome the Radecki reference, Applicant submits herewith a declaration and supporting exhibit pursuant to 37 C.F.R. § 1.131.

Based on the foregoing, the application is in condition for allowance of all claims, and an early Notice of Allowance is respectfully requested. If the examiner believes that the declaration and attached exhibit are in any way insufficient to overcome Radecki, the examiner is encouraged contact the undersigned attorney to discuss the matter.

Respectfully submitted,

REUEL W. NASH

Dated: March 2, 2004

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6,157,996 to Christie et al. Claims 3-5, 7, 8, 14-17, 19, 21, 22, 24, 25, 27, 30, 31, 33, 36, and 37 were rejected under 35 U.S.C. § 103 as being unpatentable over Dye in view Radecki, in further view of Christie, and in further view of U.S. Patent No. 6,587,113 to Baldwin et al. Claim 12 was rejected under 35 U.S.C. § 103 as being unpatentable over Dye in view Radecki, in further view of Christie, and in further view of U.S. Patent No. 5,315,696 to Case et al.